

Record) Primary Examiner Cliff Vo and attorney Paul J. Skwierawski. More particularly, during the aforementioned Examiner Interview, a better understanding of respective positions regarding the rejections was obtained. **As a summary, conclusion was reached that the applied references did not support the outstanding rejection, as applied Shimada and Kojima et al. both fail to teach a means for displaying "a three dimensional retrieval icon representing the amount of data."** Most importantly, a better understanding was obtained that Kojima et al. did not relate to an icon representing an amount of data, but instead, related to graphic illustrations with respect to a stackable game. The following includes a reiteration of discussions/arguments had during the Examiner Interview.

PENDING CLAIMS

Claims 1-26 were pending under consideration and subjected to examination in the Office Action. At entry of this paper, Claims 1-26 will be pending for further consideration and examination in the application.

ALLOWED CLAIMS

Claims 1-10, 12-18 and 26 have been allowed in the application, as indicated within the section number "4" on page 3 of the Office Action. Applicants and the undersigned respectfully thank the Examiner for such indication of allowable subject matter.

REJECTION UNDER 35 USC §103

The 35 USC §103 rejection of claims 11 and 19-25 as being unpatentable over Shimada (U.S. Patent 4,847,788) in view of Kojima et al. (U.S. Patent 6,005,576) is respectfully traversed based upon the following.

All descriptions of Applicants' disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicants in any form, are repeated and incorporated herein by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicants respectfully submit the following.

Applicants respectfully agree with the Office Action comments regarding Shimada, that "Shimada et al [*sic.*] teach a drawing management and display device comprising a display means for displaying the drawings data...[but] fails to teach a means for displaying a three dimensional retrieval icon representing the amount of data" (emphasis added).

However, Applicants cannot agree with the Office Action comments regarding Kojima et al., that "Kojima et al. [*sic.*] teach another data processing system comprising a means for displaying a three dimensional retrieval icon representing the amount of data of the object represented by that icon" (emphasis added). That is, Kojima et al. Fig. 1 and Figs. 10-18A merely show graphic illustration of a "tower of Hanoi" stackable game where discs are moved between the three Kojima et al. pegs (this is often used as the teaching material of programming) displayed on a display device, *i.e.*, the Fig. 1 and Figs. 10-18A discs or stacks of Kojima et al. do not

represent icons for sub-drawings, or represent an amount of data. Further, Kojima et al. do not suggest the same. Since the detailed explanation as to the tower of Hanoi game is made in Kojima et al. (columns 5 to 6, etc.), Applicants respectfully submit that the Office Action comments reflect a misunderstanding of the disclosure of Kojima et al. Accordingly, it appears that the Office Action has mistaken the Kojima et al. game discs as icons, and has applied the same in an attempted improper hindsight reconstruction rejection.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a §103 obviousness-type rejection of Applicants' claims. Accordingly, reconsideration and withdrawal of such §103 rejection, and express written allowance of all of the §103 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully submit that the claims listed above as presently being under consideration in the

application are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested.

This Response is being filed within the shortened statutory period for response to the 19 December 2000 Action, and accordingly, no Petition for extension of time nor fees are believed necessary. However, to any extent necessary, Applicants petition for an extension of time under 37 CFR §1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees and excess claim fees, to ATS&K Deposit Account No. 01-2135 (Order No. 500.30789R00), and please credit any excess fees to such Deposit Account.

Respectfully submitted,



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